

UNITED STATES DISTRICT COURT

for the
Northern District of New York

UNITED STATES OF AMERICA

v.

CHRISTOPHER BURNICHE

Defendant(s)

Case No. 1:22-MJ- 6010 (CFH)



CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of October 11, 2022, through October 14, 2022, in the county of Saratoga in the Northern District of New York the defendant(s) violated:

Code Section
21 U.S.C. § 841(a)(1) and (b)(1)(B)

Offense Description
Possession with intent to distribute 50 grams or more of a mixture or substance containing methamphetamine
Attempted possession with intent to distribute 50 grams or more of a mixture or substance containing methamphetamine and attempted

This criminal complaint is based on these facts:

See attached Affidavit

Continued on the attached sheet.

Complainant's signature

Michael R. Boyle, USPIS Inspector

Printed name and title

Attested to by the affiant in accordance with Rule 4.1 of the Federal Rules of Criminal Procedure.

Date: October 14, 2022

Judge's signature

City and State: Albany, NY

Hon. Christian F. Hummel, U.S. Magistrate Judge

Printed name and title

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

AFFIDAVIT IN SUPPORT OF COMPLAINT

I, United States Postal Inspector Michael R. Boyle, being duly sworn, deposes and states:

1. I make this affidavit in support of a criminal complaint charging CHRISTOPHER BURNICHE with possession with intent to distribute a mixture or substance containing 50 grams or more of a detectable amount of methamphetamine, in a violation of 21 U.S.C. § 841(a)(1) and (b)(1)(B) and attempted possession with intent to distribute a mixture or substance containing 50 grams or more of a detectable amount of methamphetamine, in violation of 21 U.S.C. § 841(a)(1) and (b)(1)(B).

2. I have been a United States Postal Inspector with the U.S. Postal Inspection Service (USPIS) since May 2019, and I am currently assigned to the USPIS' Boston Division. Prior to becoming a Postal Inspector, I was a Police Officer with the Town of Amherst, Massachusetts. I have a Bachelor's Degree in Criminal Justice from Westfield State University. In 2015, I graduated from the Western Massachusetts Police Academy. I graduated from the U.S. Postal Inspection School Federal Law Enforcement Training Academy in May 2019 and received training in investigating the use of the U.S. Mail to transport controlled substances. Based upon my training in law enforcement and the training and experience of Inspectors more senior to me, I am familiar with the methods and techniques used by traffickers of illegal narcotics and pharmaceuticals to transport controlled substances and the proceeds related to the sale of controlled substances via the U.S. Mail and avoid detection by the USPS.

3. I am an "investigative or law enforcement officer" of the United States within the meaning of Section 2510(7) of Title 18, United States Code, that is, an officer of the United States who is empowered by law to conduct investigations and to make arrests for offenses

enumerated in Title 21, United States Code, Section 801, *et. seq.*, and Title 18, United States Code, Section 2516 which relate to the U.S. Mail.

4. The information contained in this affidavit is based on my knowledge and on observations made by me during the course of this investigation, on information conveyed to me by other law enforcement officers, and on my examination and review of physical evidence obtained during the investigation. I have also consulted with several other Inspectors and narcotics law enforcement officers who have extensive knowledge and experience with regard to the trafficking of controlled substances and the laundering of currency obtained from the sale of controlled substances.

Basis for a Finding of Probable Cause

5. On October 11, 2022, while conducting routine profiling of inbound parcels from source areas to the Northern District of New York law enforcement became aware of a United States Postal Service Priority Mail Express package bearing tracking number 9570113185832284834644 addressed to “Chris Burniche” at 10 Willey St, Albany, NY 12203 (“10 Willey St.”). After a drug-sniffing canine alerted to the package, it was searched pursuant to a warrant and found to contain approximately one pound of a crystal-like substance that field tested positive for methamphetamine.

6. On October 14, 2022, a United States Postal Inspector, acting in an undercover capacity as a USPS Letter Carrier conducted a controlled delivery of a package containing sham drugs that was substituted (“the substitute package”) in place of the original package containing the methamphetamine. After the substitute package was delivered to 10 Willey St., BURNICHE arrived and took the substitute package into the residence. BURNICHE also took with him into the residence a black hard shell luggage piece and a grey Under Armour backpack. Law

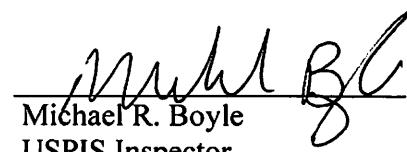
enforcement then executed a search warrant at 10 Willey St. where they encountered BURNICHE as the only individual in the residence. The substitute package was located next to the luggage and backpack that law enforcement observed BURNICHE take into the residence.

7. In a post-*Miranda* statement, BURNICHE, unaware that law enforcement had intercepted the methamphetamine in the original package and had delivered instead the substitute package, stated that the package would contain contraband, likely one pound of methamphetamine, and that he had paid approximately \$3,000 for the methamphetamine. BURNICHE also admitted that he uses and distributes methamphetamine and that he anticipated selling methamphetamine to customers after the arrival of the package.

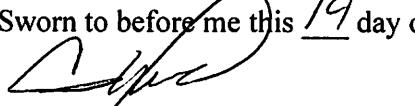
8. Additionally, inside of the black luggage that investigators had observed BURNICHE take into the residence, investigators located approximately 100 grams of a crystal-like substance that field tested positive for methamphetamine. Inside of the black luggage in which the methamphetamine had been located, law enforcement also recovered paraphernalia, including syringes, pipes, baggies, a scale, as well as a tablet that listed an email associated with BURNICHE under a dropdown menu for the list of users. During the interview, BURNICHE admitted that the black luggage belonged to him. Based on my training and experience, I know 100 grams of methamphetamine to be consistent with a quantity that would, at least in part, be distributed to other individuals and not be consumed entirely by the user in possession of it.

9. I respectfully submit this affidavit supports that there is probable cause supporting the issuance of a criminal complaint charging CHRISTOPHER BURNICHE with possession with intent to distribute a mixture or substance containing 50 grams or more of a detectable amount of methamphetamine, in a violation of 21 U.S.C. § 841(a)(1) and (b)(1)(B), and attempted

possession with intent to distribute a mixture or substance containing 50 grams or more of a detectable amount of methamphetamine, in violation of 21 U.S.C. § 841(a)(1) and (b)(1)(B).


Michael R. Boyle
USPIS Inspector

Sworn to before me this 14 day of October, 2022


Hon. Christian F. Hummel
United States Magistrate Judge